

# ARTICLE 3

## OFFICERS AND ADMINISTRATORS

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Supp 19 (December, 1999)

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 1 MAYOR

##### SECTION

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#### **3-1-1 AUTHORITY WITH RESPECT TO COMMITTEES, BOARDS AND COMMISSIONS**

##### A. Appointments.

The Mayor shall appoint with the advice and consent of the City Council:

1. The members and chair of all City Council Committees.
2. The chairmen of all Boards and Commissions of the City.
3. All other officers of the City whose appointment is not otherwise provided by law.

##### B. Other Authority

1. The Mayor shall recommend to the City Council persons for appointment to the membership of all other City Boards, Commissions and Councils. (See Ch. 2 of this Article for resolution of the City Council's refusal to accept Mayor's recommendations).
2. In cases of dispute, the Mayor may determine the relative powers of City officials or Boards.

3. The Mayor may assign the duties of City officials (other than employees) which have not otherwise been assigned by statute, ordinance or official, written policy.
4. The Mayor may direct to the City Manager to investigate reasonable complaints against employees other than those covered by the Board of Fire and Police Commissioners or by the specific authority of a collective bargaining agreement.
5. The Mayor may veto the appointment of the City Attorney by the City Council. (See Ch. 2 of this Article for further description).

*(Ord. 2008-45, 07/21/2008)*

**3-1-2            RESERVED**

*(Ord. 2008-45, 07/21/2008)*

**3-1-3            RESERVED**

*(Ord. 2008-45, 07/21/2008)*

**3-1-4            SIGNATURE OF MAYOR**

The Mayor's signature shall appear on all licenses and permits granted by the authority of the City Council except as otherwise provided by law or by provision of this Code. In all cases where this Code requires that the signature of the Mayor shall be attached to any license, permit, contract, local improvement bond, or other written instrument, and in all cases where said provisions require the Mayor's approval in writing or endorsement in writing, the Mayor's signature shall be affixed in such manner as may be authorized by law.

**3-1-5            SECRETARY**

The Mayor may appoint a secretary, whose duty it shall be to preserve and keep in the Mayor's office all books and papers which are customarily filed or are required by law to be filed therein; to deliver to the City Council and to the respective departments of the City all messages from the Mayor in writing, to attend the Mayor's office during the usual office hours, and to perform such other duties as may be required of such person by the Mayor.

**3-1-6            DECORATIONS ON PUBLIC BUILDINGS**

The Mayor shall have power and authority to display or authorize the display of flags or other decorations on, in or about the City Hall, or other public building belonging to the City or public ways, on such occasions as may be deemed by the Mayor to be proper.

**3-1-7            COORDINATOR OF EMERGENCY ACTIVITIES**

The Mayor shall appoint a coordinator of the City's Emergency Services and Disaster Agency with the advice and consent of the City Council. The Mayor shall see that an emergency disaster plan is prepared and that resources are made available for the implementation of the City's disaster plan, should the need arise. The Mayor shall have all powers indicated in Article 8 of this Code.

**3-1-8 POWERS OF MAYOR DURING CIVIL EMERGENCY****C. Definitions:**

1. A civil emergency is hereby defined to be (a) an act or acts of violence by one or more persons, part of an assemblage of twelve (12) or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual; (b) a threat or threats of the commission of an act or acts of violence by one or more persons having individually or collectively, the ability of immediate execution of such threat or threats, present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual; (c) any natural disaster or man-made calamity including but not limited to flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the City resulting in death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.
2. General curfew is hereby defined as a prohibition against any person or persons walking, running, loitering, standing or motoring or otherwise traveling upon any alley, street, highway, public property or vacant premises within the corporate limits of the City excepting officials of any governmental unit and persons officially designated to duty with reference to said civil emergency.

D. Whenever an emergency, as defined in subsection A of this Section exists, the Mayor shall have the power to declare its existence by means of a written proclamation setting forth the facts which constitute the emergency.

E. After proclamation of civil emergency by the Mayor, he may order a general curfew applicable to such geographical areas of the City or to the City as a whole as he deems advisable, and applicable during such hours of the day or night as he deems necessary in the interest of public safety and welfare.

F. After the proclamation of a civil emergency, the Mayor of the City may also in the interest of public safety or welfare make any or all of the following orders:

1. Order the closing of all businesses holding liquor licenses, including private clubs or portions thereof, wherein the consumption of intoxicating liquor and/or beer is permitted;
2. Order the discontinuance of the sale of liquor by any wholesaler or retailer;
3. Order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;
4. Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever;

5. Issue such other orders as are imminently necessary for protection of life or property.

G. The proclamation herein authorized shall be effective for a period of forty-eight (48) hours unless sooner terminated by proclamation of the Mayor indicating a civil emergency no longer exists. In the event that it becomes necessary to extend the proclamation beyond the initial forty-eight (48) hour period, the Mayor or Mayor pro tem shall call a special meeting of the City Council by service upon each of them, or a member of their household over the age

of ten (10) years, at their home or written notice at least twenty-four (24) hours prior to the time set for the special meeting. An affirmative vote by a majority of Aldermen present at said special meeting shall be required for the extension of the proclamation of existence of a civil emergency.

H. Upon the issuance of a proclamation as herein authorized, the City Manager shall cause a copy of the proclamation to be published in newspapers of general circulation within the City, and shall cause copies of the proclamation declaring the existence of the emergency to be posted at the following places within the City: the City Hall; Police Station; and the Post Office.

I. Any person violating the provisions of this Section or executive order issued pursuant thereto shall be guilty of an offense against the City and shall be punishable by a fine of not to exceed five hundred dollars (\$500.00).

(Supp 19, December, 1999)

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 2 CITY COUNCIL

##### SECTION

- 3-2-1 Meetings
- 3-2-2 Special Meetings
- 3-2-3 Place of Meeting
- 3-2-4 Order of Business
- 3-2-4.1 Inauguration of Newly Elected Officials
- 3-2-5 Rules of Order
- 3-2-6 Recording of Minutes
- 3-2-7 Aldermanic Election Contests
  - 3-2-7.1 Contesting of Election
  - 3-2-7.2 Statement of Grounds of Contest
  - 3-2-7.3 Notice
  - 3-2-7.4 Testimony
  - 3-2-7.5 Recount of Ballots
  - 3-2-7.6 Proofs
  - 3-2-7.7 Declaration
  - 3-2-7.8 Finality of Declaration
- 3-2-8 Appointment to Boards and Commissions
- 3-2-9 Appointment of City Attorney

#### 3-2-1 MEETINGS

Regular meetings of the City Council shall be held at seven thirty (7:30) P.M. on the first and third Mondays of each month; provided however, that if said day so established for meetings is a legal holiday, then said regular meeting shall be held at seven thirty (7:30) P.M. on the first business day immediately following said legal holiday.

*(Ord 2004-35, 4/19/04, S23)*

- A. During the months of June, July and August, the Mayor with the advice and consent of the City Council may reschedule or elect not to hold any regularly scheduled meeting during said months; provided however, that action to reschedule or not to hold said regular meeting shall be effected not later than the regular meeting immediately preceding the regular meeting to be rescheduled or canceled.

- B. The Mayor and City Council shall have the right to change the date and/or time of said regular meeting upon recommendation by the Mayor and approval by the City Council during the regular meeting preceding the meeting the date and/or time of which is to be changed.
- C. If a regular City Council meeting falls on the day before an election held pursuant to the Illinois Election Code, 10 ILCS 5/1-1, *et seq.*, then the regular meeting shall be held at 7:30 p.m. on the first business day immediately following said election.

*(Ord. 2009-19, 3/16/2009)*

### **3-2-2 SPECIAL MEETINGS**

Special meetings of the Council may be held at any time on call of the Mayor or on call of any two (2) or more aldermen. Such call shall be in writing and shall specify the business that will come before the meeting and the City Manager shall give at least forty-eight (48) hours notice thereof in writing to each Alderman and the Mayor. The business at such special meeting shall be limited to the purpose or purposes specified in the call. If all the elected Aldermen and the Mayor are present at any special meeting, no notice shall be necessary.

*(Ord. 2007-70, 9/4/07)*

### **3-2-3 PLACE OF MEETING**

All meetings of the City Council shall be held in the Council Chambers, City Hall, 505 Butler Place, Park Ridge, Illinois, unless otherwise decided by a vote of two-thirds (2/3) of the Council members at a regularly scheduled meeting.

### **3-2-4 ORDER OF BUSINESS**

When a quorum is present, the City Council shall proceed to the business before it, which shall be considered in the following order:

- A. Roll Call
- B. Reading of the minutes of the previous meeting
- C. Consent agenda
- D. Reports of City officials
- E. Citizens wishing to address the Council on a non-agenda item
- F. Report of boards commissions and committees
- G. New business
- H. Adjournment of the meeting

*(Ord. 2003-45, 7/21/2003, S23)*

*(Ord 2004-25, 4/5/2004, S23)*

*(Ord 2004-25, 4/5/2004, S23)*

**3-2-4.1 INAUGURATION OF NEWLY ELECTED OFFICIALS**

The term of newly elected officials of the City shall commence, and such officials shall be inaugurated at the first regular meeting of the City Council in the month of May, following election of such officials and said inauguration shall be the first order of business of the Council at that meeting. Provided, if the Cook County vote certification has not occurred prior to the first regular meeting of the City Council in the month of May, the inauguration of the newly elected officials shall take place at the next regular meeting of the City Council.

*(Ord 2007-24, 4/2/07, S25)*

**3-2-5 RULES OF ORDER**

The rules on parliamentary practice comprised in "Robert's Rules of Order Newly Revised" shall govern the City Council in all cases to which they are applicable, except those which are inconsistent with the standing rules of the Council or of any ordinance, and except those which are inconsistent with the following rules which shall govern in all cases where they are applicable:

- A. It shall be unnecessary for an Alderman seeking recognition to rise in his place.
- B. The Journal of Proceedings shall not embody comments, debates or arguments except when the speaker requests such enlargement of the Journal, and then only when two-thirds (2/3) of the Municipal authorities then present consent to such enlargement.
- C. A motion to reconsider may be made only during the meeting in which a motion has been acted upon or during the next regular meeting of the City Council.
- D. Upon the request of any two aldermen present, any report of a committee of the Council or of any board or commission shall be deferred for final action thereon until the next meeting of the City Council after the report is made.

**3-2-6 RECORDING OF PROCEEDINGS**

The method of recording the proceedings of the City Council shall be as follows:

- A. There shall be an electronic audio recording of regular and special and Committee of the Whole meetings of the City Council.
- B. The only exception shall be that lengthy communications that are also contained in written reports may be omitted from the sound record if orally identified on the sound record.
- C. Such sound recordings shall be kept by the City Clerk as a public record, properly indexed and filed, for a period of twelve (12) months after the date of the record and shall be available for playback during that period. At the conclusion of twelve (12) months the Clerk shall erase or destroy the sound recording.
- D. In addition to such sound recording, the City Clerk shall transcribe, in writing, as a permanent written record the following portions of each meeting:

1. Roll Call.
  2. All motions, resolutions and ordinances together with votes and dispositions thereof (but exclusive of arguments and discussions pertaining thereto).
  3. Statutory and official action and parliamentary procedure.
  4. Messages, reports, vetoes and legal opinions, if requested to be embodied in the minutes.
  5. Written reports of committees, if requested to be embodied in the minutes.
  6. Canvass of elections, etc.
  7. Such limited matters as may from time to time be determined by the Council to become part of the permanent written records.
- E. That all ordinances and resolutions be numbered by the City Clerk. The number shall appear immediately preceding the title and shall be consecutive in annual series.
- F. That the City Clerk shall maintain an index of all resolutions and ordinances adopted by the City Council.

*(Ord 2007-25, 4/2/07, S25)*

### **3-2-7 ALDERMANIC ELECTION CONTESTS**

#### **3-2-7.1 CONTESTING OF ELECTION**

The election of any person declared elected to the office of Alderman of any ward of the City may be contested by any elector of the ward for which such person is declared elected. The manner of conducting the contest shall be the same, as nearly as may be, as in the case of the contesting of the election of County officers under the laws of this State. (10 ILCS 5/23-1.1)

The City Council shall be the tribunal before which such contest shall be determined.

#### **3-2-7.2 STATEMENT OF GROUNDS OF CONTEST**

When the elector who has the right to bring such contest shall desire to contest the election of a person declared elected to the office of Alderman on account of the inability or failure of such person to qualify in accordance with law, or for any other legal reason, he shall, within five (5) days after the person whose election is contested has been declared elected, file with the City Clerk a statement in writing, setting forth the grounds on which he will contest the election, which statement shall be verified by affidavit.

No objection to such statement on account of informality or insufficiency shall lie, but such contest may be dismissed by the City Council if it appears that the person bringing the contest is not a qualified elector of the ward for which the election is contested, or if the statement is not filed within the time fixed herein, or is not verified by affidavit, or has not been duly served by the delivery of a copy or by publication as hereinafter provided.

### **3-2-7.3 NOTICE**

Within five (5) days after filing his statement, the contestant in said aldermanic election contest shall also serve or cause to be served a copy thereof upon the person whose election he is contesting. In case such respondent is absent from the City or cannot be found, then service may be had by leaving a copy of such statement at the respondent's usual place of abode with some person of the family of the age of ten (10) years or upwards and informing such person of the contents thereof.

### **3-2-7.4 TESTIMONY**

Whenever the statement of the grounds of contest shall have been filed and served as aforesaid, it shall be the duty of the City Council, upon its own motion or upon the application of either party, to fix the time and place for taking the depositions of witnesses, or to cause a committee of five (5) Aldermen, chosen by the City Council to be duly authorized to conduct the hearing to take such testimony. At the time and place so fixed, the parties may proceed to take the testimony of any witnesses, in the same manner as provided by Statute for taking depositions to be used in cases in chancery before any judge, or notary public, and such taking of depositions may be continued from day to day thereafter until all the testimony shall have been taken.

No testimony shall be taken or produced at the hearing except such as relates to the allegations set forth in the statement required to be filed with the City Clerk and served upon the respondent as herein provided.

### **3-2-7.5 RECOUNT OF BALLOTS**

In all contests of aldermanic elections, either party shall have the right to have the package or packages of ballots which have been returned to the Clerk, as required by law, opened before the committee conducting the hearing, in the presence of the officer having the custody thereof, in the presence of the contestant or his duly authorized agent or attorney, and in the presence of the person whose election is being contested, or his duly authorized agent or attorney, and to have such ballots then and there counted by such committee, and the City Council may require the same to be done by said committee in open session of the City Council or may require a recount in open session in such manner as it may direct; provided, that such ballots shall not be counted where the contest is dismissed under the provisions of Section 3-2-7.2 above.

**3-2-7.6 PROOFS**

In all cases of contested elections the proofs shall be taken and filed with the City Clerk, as hereinafter provided, within thirty (30) days from the day fixed for taking the same; provided the City Council or the said committee may, from time to time, upon sufficient cause shown, extend the time for the taking and filing of such proofs.

**3-2-7.7 DECLARATION**

When all the evidence shall have been taken, the committee shall file the same together with its recommendations forthwith with the City Council. The City Council shall, thereupon, without delay, consider such evidence and recommendations. The City Council may require all the testimony and proofs taken to be read in open meeting of the Council.

Upon such report being made, the City Council shall decide according to the right of the matter, and shall declare as elected the person who shall appear by the evidence to have been elected.

Whenever it shall appear in any case that the person receiving the highest number of legal votes is ineligible to the office because of any legal disqualification, or for other causes, it shall, for that reason, be the duty of the City Council to declare such election null and void and immediately to call a special election to fill said office.

**3-2-7.8 FINALITY OF DECLARATION**

The decision of the City Council shall be final as to the election and qualification of any person whose election is contested or who is declared by it to have been elected Alderman.

**3-2-8 FINALITY OF DECLARATION**

Upon receipt from the Mayor of a name for appointment to a City Board or Commission, the City Council shall, upon motion and majority vote, appoint all members of such Boards and Commissions. If the City Council does not approve a person recommended by the Mayor to fill a particular vacancy, the Mayor shall then submit a second name for such appointment. If the City Council does not approve the second person submitted by the Mayor, the Executive Committee of the City Council shall appoint a person to fill that vacancy. Further, if the Mayor fails to advance the name of a person to the City Council within sixty (60) days of the expiration of the term of an existing member, then the Council liaison to that Board or Commission shall advance the name of a person for appointment and upon the failure of the City Council to approve that person on the first vote, the Executive Committee shall appoint a person other than the person not approved by the City Council, to fill such vacancy. If the Mayor fails to timely advance a name for appointment and there is no City Council liaison, the Executive Committee shall advance the name of a person to the City Council for appointment.

*(Ord. 2008-45, 07/21/2008)*

**3-2-9 APPOINTMENT OF CITY ATTORNEY**

The City Attorney shall be appointed by the affirmative vote of four (4) aldermen upon recommendation of the City Manager. The Mayor shall have the power to veto such appointment, by written notice to the City Council giving the reasons for such veto, filed with the City Clerk within fourteen (14) days of the Council's affirmative vote. The veto may be overturned by the affirmative vote of five (5) members of the City Council voting at the next regular meeting of the City Council. If there is a deadlock over such appointment, the City Manager shall appoint an interim City Attorney until such deadlock is broken.

*(Ord. 2008-45, 07/21/2008)*

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 3 CITY WARDS AND ELECTION PRECINCTS

##### SECTION

- 3-3-1 Wards Created
- 3-3-2 First Ward
- 3-3-3 Second Ward
- 3-3-4 Third Ward
- 3-3-5 Fourth Ward
- 3-3-6 Fifth Ward
- 3-3-7 Sixth Ward
- 3-3-8 Seventh Ward
- 3-3-9 Election Precincts Established
- 3-3-10 Classification of Annexed Territory
- 3-3-11 Map of Boundaries

#### **3-3-1 WARDS CREATED**

The City is hereby divided into seven (7) wards as provided in this Chapter.

#### **3-3-2 FIRST WARD**

The First Ward is that portion of the City as now established, or from time to time hereafter established, commencing at the intersection of Oriole and Oakton, extending west along the centerline of Oakton Street to the intersection with Cumberland Avenue, then north along the centerline of Cumberland to the northern territorial boundary of the City, then west along said northern territorial boundary of the City to the centerline of Western Avenue, then south down the centerline of Western to the intersection with the centerline of Lahon Avenue, east along the centerline of Lahon to the intersection of Greenwood Avenue, then south down the centerline of Greenwood to the centerline of the Chicago & North Western Railroad right-of-way, then southeast to the centerline of Elm Street extended, then east along the centerline of Elm to the eastern

territorial boundary of the City, then north along said territorial boundary of the City to the point of beginning.

### **3-3-3 SECOND WARD**

The Second Ward is that portion of the City as now established, or from time to time hereafter established, beginning at the center point of the intersection of Oakton Street and Western Avenue, then north along the territorial boundary of the City to the centerline of Church Street, then west to the western territorial boundary of the City, then south of the centerline of Dempster, then west to the western territorial boundary of the City, then south along said western boundary line to its intersection with the centerline of Manor Lane, then east along the centerline of Manor Lane to the centerline of Potter Road, then south along the centerline of Potter to its intersection with the centerline of the Chicago and North Western Railroad right-of-way, then southeast along said right-of-way to the intersection with the centerline of Oakton Street, then east along the centerline of Oakton to the point of beginning.

### **3-3-4 THIRD WARD**

The Third Ward is that portion of the City as now established, or from time to time hereafter established, commencing at the intersection of the centerline of Manor Lane and the western territorial boundary of the City, then south along said boundary to its intersection with the centerline of Sibley Street extended, then east along the centerline of Sibley to the intersection with the centerline of Dee Road, then south along the centerline of Dee to the intersection with the centerline of Cherry Street, then east on the centerline of Cherry to the centerline of Knight Avenue, then north on the centerline of Knight to the centerline of the Chicago and North Western Railroad right-of-way, then southeast along railroad right-of-way to the intersection with Greenwood Avenue, then north on the centerline of Greenwood to the intersection of the centerline of Lahon Street, then west along the centerline of Lahon to the centerline of Western Avenue, then north along the centerline of Western to the centerline of Oakton Street then west along the centerline of Oakton to the intersection with the centerline of the Chicago and North Western Railroad right-of-way, then northwest along said railroad right-of-way to the intersection of the centerline of Potter Road, then north along the centerline of Potter Road to the centerline of Manor Lane, then west along the centerline of Manor to the point of beginning.

### **3-3-5 FOURTH WARD**

The Fourth Ward is that portion of the City as now established, or from time to time hereafter established, commencing at the intersection of Sibley Avenue extended and the western territorial boundary of the City, then south along said boundary to its intersection with the centerline of Touhy Avenue, then east along the centerline of Touhy Avenue to the intersection with the centerline of Talcott Road, then southeast along the centerline of Talcott Road to the intersection with Western Avenue, then north on the centerline of Western to the centerline of Crescent Avenue, then east along the centerline of Crescent to the centerline of Cumberland Avenue, then north along the centerline of Cumberland along the railroad right-of-way to the centerline of the Chicago and North Western Railroad right-of-way, then northwest along the railroad right-of-way to the centerline of

Knight Avenue extended, then south on the centerline of Knight to the centerline of Cherry Street, then west along the centerline of Cherry to the centerline of Dee Road, then north on the centerline of Dee to the centerline of Sibley Avenue, then west along the centerline of Sibley Avenue to the point of beginning.

### **3-3-6 FIFTH WARD**

The Fifth Ward is that portion of the City as now established, or from time to time hereafter established, commencing at the intersection of the Chicago and North Western Railroad right-of-way and Elm Street extended, then southeast along the railroad right-of-way to the centerline of Cumberland Avenue, then south along the centerline of Cumberland to the centerline of Crescent Avenue, then west along the centerline of Crescent to the centerline of Greenwood, then south on the centerline of Greenwood to the centerline of Gillick Avenue, then east along the centerline of Gillick to the centerline of Cumberland Avenue, then south along the centerline of Cumberland to the centerline of Albion Avenue, then east along the centerline of Albion to the eastern territorial boundary of the City, then north along said territorial boundary to the intersection of the centerline of Elm Street, then west along the centerline of Elm to the point of beginning.

### **3-3-7 SIXTH WARD**

The Sixth Ward is that portion of the City as now established, or from time to time hereafter established, commencing at the center point of Touhy Avenue and the western territorial boundary of the City, then south on said western territorial limit to the intersection with the centerline of Higgins Road, then southeast along the centerline of Higgins to the centerline of Cumberland Avenue, then north on the centerline of Cumberland to the centerline of Devon Avenue, then west on the centerline of Devon to the centerline of Chester Avenue, then north along the centerline of Chester to the centerline of Gillick Avenue, then west on the centerline of Gillick to the centerline of Greenwood Avenue, then north along the centerline of Greenwood to the centerline of Crescent Avenue, then west along the centerline of Crescent to the centerline of Western Avenue, then south along the centerline of Western to the centerline of Talcott Road, then northwest on the centerline of Talcott to the centerline of Touhy Avenue, then west along Touhy to the point of beginning.

### **3-3-8 SEVENTH WARD**

The Seventh Ward is that portion of the City as now established, or from time to time hereafter established, commencing at the centerline of the intersection of Higgins Road and Cumberland Avenue, then north along the centerline of Cumberland Avenue to the centerline of Devon, then west along the centerline of Devon to the centerline of Chester Avenue, then north along the centerline of Chester to the centerline of Gillick Avenue, then east along the centerline of Gillick to the centerline of Cumberland Avenue, then south along the centerline of Cumberland to the centerline of Albion Avenue, then east along the centerline of Albion Avenue to the eastern territorial boundary of the City, then south along said eastern territorial boundary of the City to the centerline of Higgins Road, then northwest along the centerline of Higgins Road to the point of beginning.

**3-3-9 ELECTION PRECINCTS ESTABLISHED**

For the purpose of elections and referenda to be held in the City, after the effective date hereof, the seven (7) wards of said City as herein established by ordinance and as hereafter from time to time amended by ordinance are hereby established as and for the election precincts within the City.

**3-3-10 CLASSIFICATION OF ANNEXED TERRITORY**

The division into seven (7) wards as defined in Sections 3-3-1 to 3-3-8 shall prevail regardless of any further annexations of territory to the City which may hereafter occur, and any territory hereafter annexed shall automatically and without further action on the part of the corporate authorities become part of the ward or wards to which it is contiguous.

**3-3-11 MAP OF BOUNDARIES**

The City Clerk shall, no later than five (5) days after redistricting, annexation, disconnection or adoption of other boundary change, give written notice of such adoption and the effective date of such act to the Cook County Clerk.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 4 CITY CLERK

##### SECTION

- 3-4-1 Duties
- 3-4-2 Deputy Clerk Duties
- 3-4-3 Filing of Ordinances
- 3-4-4 Code Corrections and Numbering
- 3-4-5 Map for Public Inspection
- 3-4-6 Destroying Old Records
- 3-4-7 Office Hours

#### **3-4-1 DUTIES**

The City Clerk shall, in addition to other duties imposed by law, perform the following:

- A. Deliver without delay to the officers of the City and to all committees of the City Council, all resolutions and communications referred to such officers or committees by that body.
- B. Deliver without delay to the Mayor all ordinances or resolutions which may require to be approved or otherwise acted upon by the Mayor, together with all papers on which the same are founded.
- C. Affix the City Clerk's signature or facsimile to all licenses granted as required by this Code.
- D. Keep the Corporate Seal and affix same to all documents and papers that are required to bear the official Seal of the City.
- E. Conduct all duties as deputy registrar in conducting voter registration.
- F. Publish in a newspaper the City Treasurer's annual report.
- G. Publish ordinances in the newspaper or in pamphlet form by authority of the City Council.

- H. Conduct all election duties as required by law.
- I. Receive applications for and issue licenses for "going out of business" sales.
- J. Conduct such duties as required in relation to licensing taxicabs.
- K. Administer oaths of office.
- L. Keep a Journal of the Proceedings of the City Council.

### **3-4-2 DEPUTY CLERK DUTIES**

The Deputy Clerk may administer the duties described in Section 3-4-1 under the authority of the City Clerk. The City Clerk is authorized to appoint in writing one Deputy Clerk from and among the regular employees of the City and may empower such Deputy to affix an authenticated signature to any and all necessary documents including certificates. Upon such appointment, the City Clerk shall report the same to the City Council and shall require the genuine signature of such Deputy to be inserted in the Journal of the Proceedings.

### **3-4-3 FILING OF ORDINANCES**

The originals of all ordinances passed by the City Council shall be filed in the City Clerk's office.

### **3-4-4 CODE CORRECTIONS AND NUMBERING**

The City Clerk shall maintain correct copies of this Code as amended from time to time in accordance with Article 1.

### **3-4-5 MAP FOR PUBLIC INSPECTION**

It shall be the duty of the City Clerk to keep on file a copy of a map of the City showing the wards into which the City is from time to time redistricted, showing thereon the city limits of the City as they may from time to time exist.

### **3-4-6 DESTROYING OLD RECORDS**

The City Clerk is authorized to destroy Council meeting electronic recordings twelve (12) months after the date on which they are recorded.

**3-4-7 OFFICE HOURS**

The office of the City Clerk shall be open during the same hours as are the administrative offices of the City. The office of the City Clerk shall be open for additional hours as required by law for election purposes.

## **ARTICLE 3**

### **OFFICERS AND ADMINISTRATORS**

#### **CHAPTER 5      RESERVED**

*(Ord 2005-5, 1-3-05, S24)*

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 6 CITY MANAGER

##### SECTION

- 3-6-1 Office Created
- 3-6-2 Appointment
- 3-6-3 Ex Officio Comptroller
- 3-6-4 Bond
- 3-6-5 Compensation
- 3-6-6 Duties of Manager
- 3-6-7 Chain of Command

#### **3-6-1 OFFICE CREATED**

There is hereby created the office of City Manager, an administrative office of the City. The City Manager shall be the administrative officer of the City.

#### **3-6-2 APPOINTMENT**

The City Manager shall be appointed by the affirmative vote of four (4) aldermen upon recommendation of the Mayor. The City Manager shall be chosen solely on the basis of executive and administrative qualifications, with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office. Such qualifications are hereby declared to be of a nature as to require special training or knowledge. At the time of appointment, the appointee need not be a resident of the City or of the State of Illinois, but shall reside within the City within six (6) months of appointment. No Alderman or Mayor may be appointed as City Manager during the term for which he/she shall have been elected, nor within one year after the expiration of that term. During the absence or disability of the City Manager, the Mayor with the advice and the consent of the City Council may designate some properly qualified person as Acting City Manager.

*(Ord. 2008-45, 07/21/2008)*

**3-6-3 EX OFFICIO COMPTROLLER**

The City Manager shall be Ex Officio Comptroller only for the purpose of membership on the Board of Trustees of the Firefighters Pension Fund. Any other statutory duties of the Comptroller shall be carried out as provided in this Code.

**3-6-4 BOND**

The City Manager shall furnish a bond to the City conditioned for the faithful performance of his/her duties and according to the provisions of Article 3, Chapter 15 of this Code.

**3-6-5 COMPENSATION**

The City Manager shall receive compensation in such amount and manner as the Council shall fix from time to time in the annual budget.

**3-6-6 DUTIES OF MANAGER**

The City Manager shall perform such duties as herein provided:

The City Manager shall be the chief administrative officer of the City and shall be responsible to the Mayor and to the City Council for the management and operation of all of the affairs and the departments of the City. As such administrative officer, the City Manager shall have the management and control of all matters and things pertaining to the operation and maintenance of the properties of the City and of all of the departments of the City, including the Department of Public Works, the Fire Department, the Police Department, the Department of Preservation and Development, the Department of Finance and the general offices of the City. The City Manager shall also have supervision of such other administrative agencies and departments and officers as may be hereafter created by the City Council unless the management and control of such departments and officers is expressly delegated elsewhere. The City Manager shall have custody and control of all documents, including debts, mortgages, leases, contracts, judgment orders, notes, bonds and evidences of indebtedness belonging to the City except such as are directed by law or ordinance to be deposited elsewhere. Specifically, but not in limitation of the above, the City Manager shall have the following additional powers and duties:

- A. The City Manager shall have the power to appoint and to discharge any Deputy City Manager, Assistant City Manager, Assistant to the City Manager or Administrative Assistant to the City Manager or any department head. All such appointments or discharges shall be based upon merit and the qualification or disqualification of such employees after the City Manager has reviewed the proposed appointment or discharge with the City Council.
- B. The City Manager shall have the power to appoint and to discharge, subject to rules of the City Civil Service, any employee of the City exclusive of employees and officers of the Police Department and exclusive of regular firefighters employed on a full-time basis, and

*(Ord. 2008-45, 07/21/2008)*

- as to said excluded employees, the City Manager shall abide by the provisions of the Rules and Regulations of the Police and Fire Commission. Upon discharging any employee, the City Manager shall submit to the City Council at the next meeting following such removal a statement concerning said removal and the reasons therefor.
- C. The City Manager may consolidate, combine or reorganize positions or units under the Manager's jurisdiction, and in the event of any consolidation or reorganization or the establishment or discontinuance of any places of employment shall notify the Civil Service Commission in writing.
  - D. The City Manager shall prepare and submit to the City Council a proposed annual budget for the City. For the purpose of preparing the aforesaid budget, the City Manager shall follow the procedures established in Article 2, Chapter 9 of this Code entitled "Budget Policy".
  - E. The City Manager shall recommend to the Mayor and the City Council the salaries to be paid each hired and appointed employee of the City.
  - F. The City Manager shall make all necessary purchases of goods and services for the City as provided in Section 2-9-9 of this Code.
  - G. The City Manager shall issue notices to the members of the City Council when directed so to do by that body, also to the members of the different committees and to all persons whose attendance is required before the City Council or any committee, when directed or requested so to do by either the City Council or the chairman of such committee.
  - H. The City Manager, upon receipt of a call for any such special meeting, shall prepare the notices of such meeting and cause them to be served on the members of the City Council not later than twenty-four (24) hours next preceding the hour set for such special meeting.
  - I. The City Manager shall prepare, or cause to be prepared, agendas for all public meetings of the City Council and its committees and commissions.
  - J. The City Manager shall attend all meetings of the City Council unless excused therefrom by the Mayor except when his/her removal is under consideration by the Council. The City Manager shall have the privilege of taking part in the discussion of all matters coming before the Council.
  - K. The City Manager may make investigations into the affairs of the City or any department or division thereof and shall investigate all complaints in relation to matters concerning City services and City administration.
  - L. The City Manager shall devote his/her entire time to the discharge of official duties.
  - M. The City Manager shall perform such other duties as may be required by the Council consistent with the City ordinances or the Statutes of the State of Illinois.

- N. The City Manager, and such assistants as are designated by the City Council, shall be conservators of the peace.

**3-6-7 CHAIN OF COMMAND**

No officer of the City shall dictate the appointment of any person to, or his/her removal from, office by the City Manager or by any of his/her subordinates. Except for the purpose of inquiry, officers shall deal with the administrative service through the City Manager and officers shall not give orders to any subordinates of the City Manager, either publicly or privately.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 7 CITY ATTORNEY

##### SECTION

- 3-7-1 Department Established
- 3-7-2 City Attorney
- 3-7-3 Duties
- 3-7-4 Delivery to Successor
- 3-7-5 Legal Opinions
- 3-7-6 Drafting of Ordinance and Documents
- 3-7-7 Code Revisions

#### **3-7-1 DEPARTMENT ESTABLISHED**

There is hereby established an administration department of the Municipal government of the City which shall be known as the Department of Law, and which shall consist of the City Attorney and such assistants and clerks as may be provided for in the annual budget.

#### **3-7-2 CITY ATTORNEY**

There is hereby created the office of City Attorney. The City Attorney shall be appointed and removed, by the Mayor with the advice and consent of the City Council.

*(Ord 2005-39, 7/18/05, S24)*

#### **3-7-3 DUTIES**

The City Attorney shall perform the following duties:

- A. Superintend and, with assistants and clerks, conduct all the law business of the City.

- B. Appear for and protect the rights and interests of the City in all actions, suits and proceedings brought by or against it or any City Officer, board or department, including actions for damages when brought against such officer in his official capacity.
- C. Appear for and defend any member, officer or employee of the Police Department or Fire Department who is sued personally for damages claimed in consequence of any act or omission or neglect of official duties or in consequence of any alleged negligence while engaged in the performance of such duties.
- D. Certify to the City Manager all judgments rendered against the City as of the date following the last day on which appeal may be made, when in the opinion of the City Attorney no further proceedings are proper; provided, however, that when the City Attorney is of the opinion that an appeal is not justified, he/she may certify such judgment to the City Manager at any time.
- E. The City Attorney shall be conservator of the peace.

#### **3-7-4 DELIVERY TO SUCCESSOR**

Upon the resignation from office thereof, or removal therefrom, the City Attorney shall forthwith, on demand, deliver to his/her successor in office all deeds, leases, contracts, books and papers in his/her hands belonging to the City, or delivered to the City Attorney by any of its officers, and all papers or information in actions prosecuted or defended by the City Attorney then pending and undetermined, together with a register thereof and record of the proceedings therein.

#### **3-7-5 LEGAL OPINIONS**

The City Attorney shall, when required so to do, furnish written opinions upon subjects submitted by the Mayor or the City Council.

#### **3-7-6 DRAFTING OF ORDINANCES AND DOCUMENTS**

The City Attorney shall draft such ordinances as may be required by the City Council. The City Attorney shall draw any deeds, leases, contracts or other papers required by the Business of the City, when requested to do so by the Mayor or the City Council.

#### **3-7-7 CODE REVISION**

The City Attorney shall have general supervision of the revision of ordinances and the insertion of general ordinances into this Code.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 8 DEPARTMENT OF FINANCE

##### SECTION

- 3-8-1 Establishment of Department
- 3-8-2 Offices Created
- 3-8-3 Director of Finance
- 3-8-4 Money and Receipts
- 3-8-5 Deposit of Funds
- 3-8-6 Accounts
- 3-8-7 Register of Warrants
- 3-8-8 Payroll Record
- 3-8-9 Purchasing Procedure
- 3-8-10 License Plates and Emblems
- 3-8-11 Assessment Rolls
- 3-8-12 Records
- 3-8-13 Destroying Old Records
- 3-8-14 Reports
- 3-8-15 Bond

#### **3-8-1 ESTABLISHMENT OF DEPARTMENT**

There is hereby established an administrative department of the City which will be known as the Department of Finance.

#### **3-8-2 OFFICES CREATED**

There is hereby created the office of the Director of Finance, an administrative office of the City. The Director of Finance shall also serve as the City Collector. There are also created such positions as assistants, accountants, secretaries, clerks, cashiers and others as provided in the annual budget approved by the City Council.

**3-8-3 DIRECTOR OF FINANCE**

Upon vacancy of said office, the Director of Finance shall be appointed by the Mayor on the recommendation of the City Manager and with the advice and consent of the City Council. Such appointment shall be based upon demonstrated ability, knowledge and experience in the management of government affairs effecting local finance. The Director of Finance shall be responsible to the City Manager for the effective management and control of the financial activities of the City.

The Director of Finance shall have the following powers and responsibilities:

- A. To appoint and remove nonexempt personnel in accordance with Civil Service Rules and Regulations;
- B. To appoint and remove exempt personnel;
- C. To establish operational practices of the Finance Department, and to enforce rules and regulations;
- D. To delegate such responsibilities as may be deemed necessary;
- E. To investigate complaints made regarding the performance of the department or activities of the personnel therein and to initiate remedial or disciplinary action;
- F. To supervise and record the issuance and sale of all bonds, notes and obligations;
- G. To perform the duties required by law and the ordinances and resolutions of the City Council;
- H. To perform all related administrative and executive function.
- I. To serve as a Board Member on the Firemens' Pension Board

*(Ord 2005-65, 10/17/05, S24)*

**3-8-4 MONEY AND RECEIPTS**

The Director of Finance shall receive all monies belonging to the City and shall give every person paying into the Treasury a receipt therefor specifying the date of payment and the amount paid.

**3-8-5 DEPOSIT OF FUNDS**

The Director of Finance shall be required to keep all City monies in such place or places of deposit as may be designated by ordinance.

No such ordinance shall be passed by which the custody of such money shall be taken from the Director of Finance and deposited elsewhere than in some regularly organized bank or banks. Prior to making such deposit, the designated banks shall have furnished the last two (2) sworn statements of resources and liabilities as furnished to the Comptroller of Currency and Auditor of Public Accounts, which said two (2) sworn statements shall be furnished to the Director of Finance. Each bank so designated as a depository for such funds, accounts or monies, shall furnish to the said Director of Finance of the City a copy of all bank statements which it is required to furnish to the Comptroller of Currency and Auditor of Public Accounts of the State of Illinois, which acting as such depository.

The total amount of all such deposits not collateralized or insured by an agency of the federal government and deposited in a bank herein designated as a depository, shall not exceed seventy-five percent (75%) of the capital stock and surplus of such bank and such Director of Finance shall not be discharged from the responsibility for any such funds or monies deposited in any bank in excess of such limitations.

The Director of Finance shall invest funds of the City not needed for immediate expenditure in securities as authorized by the State of Illinois.

### **3-8-6            ACCOUNTS**

The Director of Finance shall keep a separate account of each fund and the debits and credits belonging thereto in suitable accounting records as required by law and in accordance with Generally Accepted Accounting Principles (GAAP).

### **3-8-7            REGISTER OF WARRANTS**

The Director of Finance shall prepare and keep a register of all warrants presented giving their numbers, their amount, their accounts, the funds on which drawn, the payee and the dates of their payment when paid.

### **3-8-8            PAYROLL RECORD**

The Director of Finance shall prepare and keep a record of all payroll checks paid, giving their numbers, their amount, the funds on which drawn, the person to whom payable, the dates of their payment when paid.

### **3-8-9            PURCHASING PROCEDURE**

The Director of Finance shall establish procedures for making of all purchases, by contract or otherwise for all departments of the City, of supplies, materials and equipment for use in all departments of the City.

**3-8-10 LICENSE PLATES AND EMBLEMS**

The Director of Finance shall deliver all license plates, badges, tags or emblems to the licensee in accordance with the provisions of this Code, and keep a record of the issuance thereof.

**3-8-11 ASSESSMENT ROLLS**

Immediately upon receipt of any special assessment roll from the County Court, it shall be the duty of the Director of Finance to make a correct copy of same in accounting records for that purpose to be provided by the City, after which the roll shall be deposited in a safe place in the office of the Director of Finance.

**3-8-12 RECORDS**

The Director of Finance shall have custody and control of all financial documents, including debts, mortgages, leases, contracts, judgment orders, notes, bonds and evidences of indebtedness belonging to the City, except such as are directed by law or ordinance to be deposited elsewhere.

**3-8-13 DESTROYING OLD RECORDS**

The Director of Finance is authorized to destroy old worksheets and records as allowed by law and the ordinances and resolutions of the City Council.

**3-8-14 REPORTS**

At the end of each calendar month, and more often if required by the City Council, the Director of Finance shall submit a report to the City Treasurer for presentation to the City Council showing the state of the treasury at the end of such period.

The Director of Finance shall report to the City Council as often as required, a full and detailed account of all receipts and expenditures as shown by the books up to the time of said report together with the related budgeted amounts where applicable.

The Director of Finance shall give such additional reports and information concerning the fiscal matters of the City as may from time to time be required by the City Council.

**3-8-15 BOND**

The Director of Finance shall furnish a bond of the City conditioned for the faithful performance of his/her duties, and according to the provisions of Article 3, Chapter 15 of this Code.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 9 POLICE DEPARTMENT

##### SECTION

- 3-9-1 Establishment of Department
- 3-9-2 Positions Created
- 3-9-3 Police Chief
- 3-9-4 Violation of Duty
- 3-9-5 Power of Arrest
- 3-9-6 Process Serving
- 3-9-7 Resisting a Police Officer
- 3-9-8 Unlawful Representation
- 3-9-9 Appointment as Park District Police
- 3-9-10 Conflicting Provisions
- 3-9-11 Community Service Officers
- 3-9-12 Lutheran General Hospital Security

#### **3-9-1 ESTABLISHMENT OF DEPARTMENT**

There is hereby established an administrative department of the City which shall be known as the Police Department.

#### **3-9-2 POSITIONS CREATED**

There are hereby created the following positions in the Police Department:

- A. Police Chief.
- B. Such number of deputy chiefs, commanders, lieutenants, sergeants and patrol officers as are provided in the annual budget approved by the City Council.
- C. Such number of civilian crossing guards to adequately man the number of crossing guard locations as provided for in the annual budget approved by the City Council.

**3-9-3 POLICE CHIEF***Supp. 18 (January, 1999)*

Upon vacancy of said office, the Police Chief shall be appointed by the Mayor on the recommendation of the City Manager and with the advice and consent of the City Council. Such appointment shall be based upon demonstrated ability, knowledge and experience in the management of governmental affairs affecting public safety. The Police Chief shall be responsible to the City Manager for the effective management and control of police services within the City.

*(Ordinance2002-14, 4/15/2002, Supplement 22)*

**3-9-4 VIOLATION OF DUTY**

Any member of the Department who shall neglect or refuse to perform any duty required by the provisions of this Code or the rules and regulations as established by the Police Chief shall be subject to disciplinary action.

**3-9-5 POWER OF ARREST**

The members of the Police Department shall have power to arrest all persons in the City found in the act of violating any law or provision of this Code or aiding and abetting in any such violation, and shall arrest any person found under circumstances which would warrant a reasonable person in believing that such person had committed or is about to commit an offense.

**3-9-6 PROCESS SERVING**

The members of the Police Department shall have the power and authority and it shall be their duty to serve and execute warrants and other processes for the summoning, apprehension and commitment of any person charged with violation of any provision of this Code, or with any offense against the laws of the City or State.

**3-9-7 RESISTING A POLICE OFFICER**

Any person who shall resist any officer of the Police Department in the discharge of his/her duties, or shall in any way interfere with or hinder or prevent the officer from discharging his/her duty as such officer, or shall offer or endeavor to do so, and whoever shall in any manner assist any person in the custody of any member of the Police Department to escape, or attempt to escape from such custody or attempt to rescue any person in custody, shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each offense.

**3-9-8 UNLAWFUL REPRESENTATION**

No person shall falsely assume or pretend to be a Police Officer or a member of the Police Department, or without being a member of the Police Department, wear in public the uniform adopted as the police uniform.

*Supp. 18 (January, 1999)*

No person shall counterfeit or imitate or cause to be counterfeited or imitated any badge, sign, or signal or device adopted by the Police Department, nor shall any person use or wear any badge, sign, or signal or device adopted or used by said department, or any similar in appearance, without authority so to do from the Chief.

Any person violating any of the provisions of this Section shall be fined not less than ten (\$10.00) nor more than five hundred dollars (\$500.00) for each offense.

### **3-9-9 APPOINTMENT AS PARK DISTRICT POLICE**

The police officers of the Police Department are hereby authorized to accept and recognize their and each of their appointments as police officers of the Park Ridge Park District; provided however, that in the performance of any duties in said respect, they shall at all times remain under the command of the officer and the chain of command of the Police Department, and provided further that there shall be no additional duties placed upon the respective officers of the Police Department by virtue of their appointment as officers of the Park District. The Police Chief is authorized to designate as conservators of the peace any police officer employed by the Park Ridge Recreation and Park District, subject to such limitations and controls upon the exercise of such authority as the Police Chief may deem appropriate. Such designation may be terminated by the Police Chief at any time without cause.

### **3-9-10 CONFLICTING PROVISIONS**

This Chapter is adopted pursuant to the powers granted to the City under the terms and provisions of Section 6 of Article VII of the 1970 Constitution of the State of Illinois. To the extent that any of the foregoing provisions of this Chapter conflict with the provisions of 65 ILCS 5/10-2.1, the provisions of this Chapter shall supersede the said State Statute. (1992 Code)

### **3-9-11 COMMUNITY SERVICE OFFICERS**

Employees of the Police Department, designated by the Chief as Community Service Officers, shall be conservators of the peace.

### **3-9-12 LUTHERAN GENERAL HOSPITAL SECURITY**

Pursuant to 65 ILCS 5/3-9-4, security officers employed by Lutheran General Hospital shall be designated conservators of the peace subject to individual approval by the Police Chief. The Police Chief shall establish, in writing, such limitations and controls upon the exercise of such authority as may be appropriate to limit the authority to the issuance of parking citations on hospital property while such employee is on duty. The authorization may be terminated by the Police Chief at any time without cause. The designation of conservator of the peace shall be valid for a period of one year from the date of approval by the Police Chief and may be renewed upon subsequent approval of the Chief. A fee of \$50.00 shall be paid by the hospital for each authorization, to cover the cost of background investigation.

**ARTICLE 3**

**OFFICERS AND ADMINISTRATORS**

**CHAPTER 10    RESERVED**

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 11 FIRE DEPARTMENT

##### SECTION

- 3-11-1 Establishment of Department
- 3-11-2 Positions Created
- 3-11-3 Fire Chief
- 3-11-4 Violation of Duty
- 3-11-5 Fire Prevention Bureau
- 3-11-6 Prescribing Limits at Fires
- 3-11-7 Removal of Property
- 3-11-8 Destruction of Buildings
- 3-11-9 Police Power of Firefighter
- 3-11-10 Hindering Firefighter; Damaging Apparatus
- 3-11-11 Driving over Hose
- 3-11-12 Unlawful Entry on Fire Department Property
- 3-11-13 Impersonating a Firefighter
- 3-11-14 Salvaging Property
- 3-11-15 Unauthorized use of Equipment
- 3-11-16 Following or Blocking Fire Truck Prohibited
- 3-11-17 Power to Command Citizens
- 3-11-18 Penalty
- 3-11-19 Conflicting Provisions

#### **3-11-1 ESTABLISHMENT OF DEPARTMENT**

There is hereby established an administrative department of the City which shall be known as the Fire Department.

**3-11-2 POSITIONS CREATED**

There are hereby created following positions in the Fire Department:

- A. Fire Chief. *Supp. 18 (January, 1999)*
- B. Such number of Deputy Chiefs, Battalion Chiefs, Captains, Lieutenants and Firefighters as are provided in the annual budget approved by the City Council.  
*(Ordinance2002-14, 4/15/2002, Supplement 22)*

**3-11-3 FIRE CHIEF**

Upon vacancy of said office, the Fire Chief shall be appointed by the Mayor on the recommendation of the City Manager and with the advice and consent of the City Council. Such appointment shall be based upon demonstrated ability, knowledge and experience in the management of government affairs affecting public safety. The Fire Chief shall be responsible to the City Manager for the effective management and control of fire and rescue services within the City.

*(Ordinance2002-14, 4/15/2002, Supplement 22)*

**3-11-4 VIOLATION OF DUTY**

Any member of the Fire Department who shall neglect or refuse to perform any duty required of him by the provisions of this Code or the rules and regulations as established by the Fire Chief shall be subject to disciplinary action.

**3-11-5 FIRE PREVENTION BUREAU**

The Fire Chief shall provide for a Fire Prevention Bureau consisting of such personnel as may be authorized in the annual budget to effectively discharge the duties and functions of said Bureau. This Bureau shall have the power, and it shall be its duty, to carry on a campaign against fire and life safety hazards in violation of the laws of the City, to see that the fire prevention regulations of the City, incorporated as Article 7 of this Municipal Code, are rigidly observed and enforced, and to cause a campaign of public education against fire and life safety hazards to be conducted on a regular basis.

The Fire Chief and all personnel authorized by him shall have the right to enter any building, structure or premises, whether completed or in the course of construction, for the purpose of determining whether such building, structure or premises have been and are being constructed and maintained in accordance with the fire regulations and the laws of the City and of the State of Illinois. The Fire Chief or his duly authorized representation shall have the authority to direct the owner or person in possession of any premises determined by him to be hazardous to correct and abate any condition so determined by him to be hazardous and unsafe.

The Chief shall direct the Fire Prevention Bureau to make regular inspections with sufficient frequency to secure efficient supervision of all buildings, structures and places used for commercial purposes, or occupied or frequented by large numbers of persons, and of all school buildings, churches, public halls, institutional properties, theaters, multiple dwellings, and all places of

amusement, recreation or employment in order (a) to determine the safety of the occupants of such buildings, structures or places in the event of fire panic or accident; (b) to examine plans, construction stages, working order and repair of all doors, fire evacuation facilities, and fire-fighting appliances, and condition and freedom from obstruction of exits, corridors, stairways, fire evacuation facilities and their approaches, the disposition, arrangement and protection of stock, combustible materials and rubbish, heating devices and ovens, flammable fluids and chemicals, toxic chemicals, explosives and the protection of hazardous machinery, appliances and apparatus; and (c) to ascertain whether the fire regulations and the laws of the City and of the State of Illinois pertaining to life safety, fire and fire prevention are being efficiently carried out. It shall be unlawful to exclude authorized Fire Department personnel from any such building, structure or premises.

### **3-11-6            PRESCRIBING LIMITS AT FIRE**

The Fire Chief or other officer in command may prescribe limits in the vicinity of a fire or other emergency within which no person excepting those who reside therein or who are otherwise involved, firefighters, police officers, and those admitted by any officer of the Fire Department shall be permitted to go.

### **3-11-7            REMOVAL OF PROPERTY**

The Fire Chief or other officer in command shall have power to cause the removal of any property whenever it shall become necessary for the preservation of said property from fire or to prevent the spreading of fire, or to protect adjoining properties.

### **3-11-8            DESTRUCTION OF BUILDINGS**

The Fire Chief, or in his absence the officer in command, may direct the tearing down and removal of any building structure, fence or other property for the purpose of retarding or preventing the progress or spreading of any fire, and in case of need may take whatever steps are necessary during the progress of a fire for the purpose of extinguishing or checking the same. Said authority shall also apply in cases of non-fire emergencies wherein the Fire Department is involved, such as toxic chemical spills and related happenings.

### **3-11-9            POLICE POWER OF FIREFIGHTER**

The Fire Chief or any regular member of the Fire Department shall have the power and authority during the time of a fire or other emergency to arrest any person or persons who refuse to obey any such firefighter while acting in the discharge of his duties, or any person or persons interfering with or hindering the efforts of the Fire Department or any member thereof in the discharge of his duty while enroute to or at the scene of a fire or other emergency, and in the event of such arrest it shall be the duty of the Fire Chief and all regular firefighters so arresting such person to take such person into court to be dealt with according to law. Said Fire Chief and all regular firefighters shall during such time be severally vested with the usual power and authority of police officers to command all persons to assist them in the performance of their duties as firefighters. All members of the Fire

Department including, Fire Marshals and Fire Inspectors within the Fire Prevention Bureau, shall be conservators of the peace.

### **3-11-10 HINDERING FIREFIGHTERS: DAMAGING APPARATUS**

Any person who will willfully any hindrance to any officer, firefighter or other person in the performance of his duty at a fire or other emergency, or who shall willfully in any manner destroy damage or deface any fire-fighting or other emergency apparatus or equipment belonging to the Municipality shall be guilty of a misdemeanor and shall be fined in a manner as hereinafter provided.

### **3-11-11 DRIVING OVER HOSE**

No vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street or alley by order of the Chief or other proper officer, without the consent of the Chief, officer or member in charge of said hose, and any person violating this Section shall be guilty of a misdemeanor and shall be fined in a manner as hereinafter provided.

### **3-11-12 UNLAWFUL ENTRY ON FIRE DEPARTMENT PROPERTY**

It shall be and is hereby declared unlawful for any person to enter the Fire Department facilities or properties, or any place where the equipment and apparatus of the Fire Department is stored, at any time except on business pertaining to the Fire Department or except with the authorization of the Chief or officer in charge.

### **3-11-13 IMPERSONATING A FIREFIGHTER**

Any person not a member of the Fire Department who shall impersonate a regular firefighter or officer of the Fire Department at a fire or other emergency, or going to or returning from a fire or other emergency, shall be guilty of a misdemeanor and shall be fined in a manner as hereinafter provided.

### **3-11-14 SALVAGING PROPERTY**

It shall be unlawful for any person other than a firefighter to take away and remove from the scene of a fire or other emergency any property salvaged from said fire or other emergency unless and until proof of ownership be satisfactorily made to the Chief or officer in command at such fire or other emergency, and such removal of said property as aforesaid shall be a misdemeanor and subject to fine as hereinafter provided.

**3-11-15 UNAUTHORIZED USE OF EQUIPMENT**

Any person who shall use any fire engine, hose, vehicle or apparatus belonging to the City for any private purpose, or who shall remove the same or any part thereof from its place of deposit, or who having the control thereof shall permit such engine, hose or vehicle to be used for any private purposes aforesaid, shall be guilty of a misdemeanor and shall be fined in a manner as hereinafter provided.

**3-11-16 FOLLOWING OR BLOCKING FIRE TRUCK PROHIBITED**

It shall be unlawful for any automobile, truck or other vehicle to pass from behind or to follow a fire truck within three hundred feet (300') when such truck is on its way to a fire, or to drive or park an automobile, truck or other vehicle within a distance of one City block of any fire. It shall be unlawful for any person to drive any automobile, truck or other vehicle in such a manner as to block the speedy progress of such fire truck, and it shall be the duty of the driver thereof, upon receiving an emergency signal, to forthwith drive his vehicle to the right side of the street and there stop until such fire truck or emergency vehicle has passed, and any violation of this Section shall be a misdemeanor and such person shall be subject to a fine in a manner as hereinafter set forth.

**3-11-17 POWER TO COMMAND CITIZENS**

Every male person above the age of twenty-one (21) years who shall be present at a fire shall be subject to the orders of the officer in command at such fire and shall render all the assistance in his power and in such manner as he may be directed in the extinguishment of the fire and in the removal of any protection of property, and any person refusing to obey such orders shall upon conviction be fined in the sum not exceeding five hundred dollars (\$500.00), provided no person shall be bound to obey any such officer unless such officer's official character shall be made known to such person.

**3-11-18 PENALTY**

Any person violating any provisions of this Chapter shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) for each offense.

**3-11-19 CONFLICTING PROVISIONS**

This Chapter is adopted pursuant to the powers granted to the City under the terms and provisions of Section 6 of Article VII of the 1970 Constitution of the State of Illinois. To the extent that any of the foregoing provisions of this Chapter conflict with the provisions of 65 ILCS 5/10-2.1, the provisions of this Chapter shall supersede the said State Statute.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 12 EXEMPT POSITIONS IN FIRE DEPARTMENT AND POLICE DEPARTMENT

##### SECTION

- 3-12-1 Creation of Exempt Positions
- 3-12-2 Appointment to Exempt Positions
- 3-12-3 Removal from Exempt Positions
- 3-12-4 Permanent Ranks
- 3-12-5 Conflicting Provisions

##### **3-12-1 CREATION OF EXEMPT POSITIONS**

The following positions shall be exempt from provisions if the Illinois Statutes known as the Fire and Police Commissioners Act: (a) Police Chief; (b) Fire Chief; (c) Deputy Chief of Police; (d) Deputy Fire Chief; (e) Fire Battalion Chief, (f) Fire Captain; (g) Commander of Police (h) Lieutenant of Police.

*(Ordinance2002-14, 4/15/2002, Supplement 22)*

##### **3-12-2 APPOINTMENT TO EXEMPT POSITIONS**

The Police Chief is empowered to appoint individuals to fill the positions of Lieutenant of Police, Commander of Police and Deputy Chief of Police. The Fire Chief is empowered to appoint individuals to fill the positions of Deputy Fire Chief, Fire Battalion Chief and Fire Captain.

*(Ordinance2002-14, 4/15/2002, Supplement 22)*

##### **3-12-3 REMOVAL FROM EXEMPT POSITIONS**

The Police Chief and Fire Chief shall also be empowered to remove any of their appointees from an appointed position when in the judgment of the Chief the needs of the City so require. In all actions involving the appointment or removal of an individual, the Police Chief and Fire Chief shall be guided by the requirements of the City and the demonstrated merit of the individuals involved, including (a) supervisory and management abilities and attitudes; (b) contributions to the improvement of public safety activities of the City; (c) work quality and quantity; (d) technical competence. In the event of such removal, the individual shall revert to the highest permanent rank approved by the Board of Fire and Police Commissioners.

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**3-12-4 PERMANENT RANKS**

Police officers or firefighters presently holding appointment to supervisory or management positions by action of the Board of Fire and Police Commissioners will continue to hold such ranks permanently subject, however, to any action by the Board of Fire and Police Commissioners resulting from any disciplinary proceedings that may be instituted in the future. Promotional appointments by the Board of Fire and Police Commissioners will be limited to the first supervisory level in the Police and Fire Department; i.e. police sergeant or fire lieutenant.

**3-12-5 CONFLICTING PROVISIONS**

This Chapter is adopted pursuant to the powers granted to the City under the terms and provisions of Section 6 of Article VII of the 1970 Constitution of the State of Illinois. To the extent that any of the foregoing provisions of this Chapter conflict with the provisions of 65 ILCS 5/10-2.1, the provisions of this Chapter shall supersede the said State Statute.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 13 DEPARTMENT OF COMMUNITY PRESERVATION AND DEVELOPMENT

##### SECTION

- 3-13-1 Establishment of Department
- 3-13-2 Offices Created
- 3-13-3 Director of Community Preservation and Development
- 3-13-4 Building and Zoning Administrator
- 3-13-5 Environmental Health Officer
- 3-13-6 Community Development Administration
- 3-13-7 Growth Management
- 3-13-8 Code Enforcement

##### **3-13-1 ESTABLISHMENT OF DEPARTMENT**

There is hereby established an administrative department of the City which will be known as the Department of Community Preservation and Development.

##### **3-13-2 OFFICE CREATED**

There are hereby created the offices of Director of Community Preservation and Development, Building Coordinator, Zoning Coordinator, and Environmental Health Coordinator. There are also created such positions as assistant directors, inspectors, planners, officers, technicians, administrative assistants and others as are provided in the annual budget approved by the City Council.

##### **3-13-3 DIRECTOR OF COMMUNITY PRESERVATION AND DEVELOPMENT**

Upon vacancy of said office, the Director of Community Preservation and Development shall be appointed by the Mayor on the recommendation of the City Manager and with the advice and

consent of the City Council. Such appointment shall be based on demonstrated ability, knowledge and experience in the management of government affairs related to City planning and community development. The Director shall be responsible to the City Manager for the effective management and control of the community preservation and development activities of the City.

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The Director of Community Preservation and Development shall have the following powers and responsibilities:

- A. To appoint and remove nonexempt personnel according to Civil Service Rules and Regulations;
- B. To appoint and remove personnel;
- C. To establish operational practices of the Department and to enforce rules and regulations;
- D. To delegate such responsibilities as may be deemed necessary;
- E. To investigate complaints made regarding the performance of the Department or activities of the personnel therein and to initiate remedial or disciplinary action.
- F. To perform the duties required by law and the ordinances and resolutions of the City Council;
- G. To perform all related administrative executive functions.

### **3-13-4 BUILDING COORDINATOR; ZONING ADMINISTRATOR; ENVIRONMENTAL HEALTH COORDINATOR**

The Building Coordinator, Zoning Coordinator and Environmental Health Coordinator shall be appointed by the Director with the advice and consent of the City Manager. The Building Coordinator shall have the duties and responsibilities prescribed for the "Building Official" in Article 15, Article 16, Article 18, and in any other applicable provision of this Code. The Zoning Coordinator shall have the duties and responsibilities prescribed for the "Zoning Administrator" in the Zoning Ordinance of the City, in Article 19 of this Code, and in any other applicable provision of this Code. The Environmental Health Coordinator shall have the duties and responsibilities prescribed for the "Environmental Health Officer" in Article 5, Article 22, and in any other applicable provision of this Code.

### **3-13-5 ENVIRONMENTAL HEALTH OFFICER**

Upon vacancy of said office, the Environmental Health Officer shall be appointed by the Director with the advice and consent of the City Manager. The Environmental Health Officer shall have the duties and responsibilities prescribed for the "Environmental Health Officer" in the Health Code, Article 5 of this Municipal Code.

**3-13-6 COMMUNITY DEVELOPMENT ADMINISTRATION**

The Department of Community Preservation and Development shall provide general direction, coordination, supervision and control so as to preserve the existing character of Park Ridge as a high quality residential community.

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**3-13-7 GROWTH MANAGEMENT**

The Department of Community Preservation and Development shall establish a planning process for formulating and evaluating community goals and objectives, and for determining the implications of public decisions and private development.

**3-13-8 CODE ENFORCEMENT**

The Department of Community Preservation and Development shall have the following regulatory enforcement responsibilities:

- A. Enforce the Building Code of the City;
- B. Enforce the Zoning Ordinance of the City;
- C. Enforce Health, Sanitation, Nuisance Control and Property Maintenance Ordinances and Regulations.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 14 DEPARTMENT OF PUBLIC WORKS

##### SECTION

- 3-14-1 Establishment of Department
- 3-14-2 Offices Created
- 3-14-3 Director of Public Works
- 3-14-4 Duties

#### **3-14-1 ESTABLISHMENT OF DEPARTMENT**

There is hereby established an administrative department of the City which will be known as the Department of Public Works.

#### **3-14-2 OFFICES CREATED**

- A. There is hereby created the office of the Director of Public Works, an administrative office of the City. There are also created such positions as engineers, superintendents, foresters, foremen, water plant operators, mechanics, technicians, engineering inspectors, maintenance men, administrative assistants and others as are provided in the annual budget approved by the City Council.
- B. The Director of Public Works, Assistant Public Works Director, Superintendent of Public Works, Assistant Superintendent of Public Works, City Engineer, and Engineering Technician shall be conservators of the peace.

*(Ord 2003-58, 10/20/2003, S23)*

#### **3-14-3 DIRECTOR OF PUBLIC WORKS**

Upon vacancy of said office, the Director of Public Works shall be appointed by the Mayor on the recommendation of the City Manager and with the advice and consent of the City Council. Such appointment shall be based upon demonstrated ability, knowledge and experience in the management of government affairs affecting public works. The Director of Public Works shall be

responsible to the City Manager for the effective management and control of the public works activities of the City.

The Director of Public Works shall have the following powers and responsibilities:

- A. To appoint and remove nonexempt personnel in accordance with Civil Service Rules and Regulations;
- B. To appoint and remove exempt personnel; Supp 19 (December, 1999)
- C. To establish operational practices of the Department of Public Works, and to enforce rules and regulations;
- D. To delegate such responsibilities as may be deemed necessary;
- E. To investigate complaints made regarding the performance of the Department or activities of the personnel therein and to initiate remedial or disciplinary action;
- F. To perform the duties required by laws and ordinances of the City Council;
- G. To perform all related administrative and executive functions.

#### **3-14-4 DUTIES**

The Director of Public Works shall be charged with the planning, budgeting, design and maintenance of public streets, sidewalks, alleys, water supply and distribution facilities, sewers, parking lots, plant materials and City equipment.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 15    BONDS OF OFFICERS

##### SECTION

- 3-15-1    Conditions of Bonds
- 3-15-2    Amount of Bonds
- 3-15-3    Payment of Premiums

##### **3-15-1            CONDITIONS OF BONDS**

The respective bonds which are required by the Statutes of the State of Illinois to be filed by the officers as prescribed by said Statutes (65 ILCS 5/5-3-9), shall be payable to the City, conditioned upon the faithful performance of duties of said respective officers, according to law and the ordinances of the City; provided however, that the obligation of said respective sureties shall not extend to any loss sustained by the insolvency, failure or closing of any bank organized and operated whether under the laws of the State or of the United States of America, wherein such respective officer has placed funds in his custody, if such bank has been approved by the City Council as a depository of said funds.

##### **3-15-2            AMOUNT OF BONDS**

The bonds to be executed and filed by said respective officers shall be in the following amounts:

Penal sum of Clerk's bond.	\$5,000.00
Penal sum of Mayor's bond..	\$3,000.00
Penal sum of Treasurer's bond	\$100,000.00
Penal sum of City Manager's bond.	\$100,000.00
Penal sum of Collector's bond	\$30,000.00

**3-15-3            PAYMENT OF PREMIUMS**

The premium payable to surety companies acting as sureties on the bonds so obtained, executed and filed by and on behalf of the above named officers, or any other officers of the City, wherein the City is named as the obligee, shall be paid by the City through its Treasurer.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 16 COMPENSATION OF OFFICERS

##### SECTION

- 3-16-1 Salary of Mayor
- 3-16-2 Salary of Alderman
- 3-16-3 Salary of City Clerk
- 3-16-4 Salary of City Treasurer
- 3-16-5 Salaries of Other Officers and Administrators

##### **3-16-1 SALARY OF MAYOR**

The salary of the Mayor of the City shall be and is hereby fixed at the sum of twelve thousand dollars (\$12,000.00) per annum, payable in equal monthly installments.

*(Ordin. 2000-63, 10/16/2000 Supp 23)*

##### **3-16-2 SALARY OF ALDERMEN**

The salary of each Alderman of the City shall be and is hereby affixed at the sum of one thousand two hundred dollars (\$1,200.00) per annum payable in equal monthly installments.

##### **3-16-3 SALARY OF CITY CLERK**

The salary of the City Clerk shall be and is hereby fixed at the sum of nine thousand dollars (\$9,000.00) per annum, payable in equal monthly installments.

*(Ordin. 2000-65, 10/16/2000, Supp 23)*

##### **3-16-4 SALARY OF CITY TREASURER**

The salary of the City Treasurer shall be and is hereby fixed at the sum of nine thousand dollars (\$9,000.00) per annum, payable in equal monthly installments.

*(Ordin. 2000-66, 10/16/2000, Supp 23)*

**3-16-5 SALARIES OF OTHER OFFICERS AND ADMINISTRATORS**

The salaries of other officers and administrators shall be as annually determined and fixed in and by the adoption of the annual budget.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 17 EXEMPT POSITIONS OF THE CITY STAFF

##### SECTION

- 3-17-1 Creation of Exempt Positions
- 3-17-2 Appointment to Exempt Positions
- 3-17-3 Removal From Exempt Positions
- 3-17-4 Conflicting Provisions

##### **3-17-1 CREATION OF EXEMPT POSITIONS**

Positions deemed exempt from the provisions of the Illinois Statutes known as Civil Service in Cities and exempt from the provisions of the City Code known as the Civil Service Commission Rules and Regulations shall be designated by the City Manager's office.

*(Ord 2003-58, 10/20/2003, S23)*

##### **3-17-2 APPOINTMENT TO EXEMPT POSITIONS**

The Director of Public Works, Director of Finance, Police Chief, Fire Chief, Director of Community Preservation and Development, Assistant City Manager, Human Resources Director and Information Technology Director, are hereby authorized to appoint individuals to those positions designated and maintained by the City Manager's office, within their respective departments, based upon job-related qualifications and merit, subject to the approval of the City Manager.

As concerns any exempt position related to Library services, the Library Director is hereby empowered to appoint individuals to said positions subject to the approval of the Library Board.

*(Ord 2003-58, 10/20/2003, S23)*

##### **3-17-3 REMOVAL FROM EXEMPT POSITIONS**

The Director of Public Works, Director of Finance, Police Chief, Fire Chief, Director of Community Preservation and Development, Assistant City Manager, Human Resources Director, and Information Technology Director are authorized to remove any of the those appointees designated and maintained by the City Manager's office, when the needs of the City so require. In all actions involving the removal of an individual, the department head shall be guided by the requirements of the City and the demonstrated merit of the individuals involved including: (1)

supervisory and management abilities and attitude; (b) work quality and quantity; (c) technical competence. A written report from the department head detailing the circumstances warranting removal shall be submitted to the City Manager for his concurrence before such action becomes final.

*(Ord 2003-58, 10/20/2003, S23)*

### **3-17-4            CONFLICTING PROVISIONS**

This Chapter is adopted pursuant to the powers granted to the City under the terms and provisions of Section 6, Article VII of the 1970 Constitution of the State of Illinois. To the extent that any of the foregoing provisions of this Chapter conflict with the provisions of 65 ILCS 5/10-1, the provisions of this Chapter shall supersede the said State Statute.

## ARTICLE 3

### OFFICERS AND ADMINISTRATORS

#### CHAPTER 18 GOVERNMENTAL ETHICS AND STATE GIFT BAN ACT

##### SECTION

- 3-18-1 Adoption of Act
- 3-18-2 Ethics Officer
- 3-18-3 Local Ethics Commission; Complaints

##### **3-18-1 ADOPTION OF ACT**

- A. The Governmental Ethics and State Gift Ban Act (5 ILCS 425/1 *et seq*) is hereby adopted as required by Section 83 of the Act (5 ILCS 425/83).
- B. The solicitation or the acceptance of gifts prohibited by the Act is prohibited by any elected or salaried official and any employee of the City. All non-salaried appointed officials are exempted from the provisions of this Chapter.

##### **3-18-2 ETHICS OFFICER**

To the extent authorized by law and to the extent required by Section 35 of the Act (5 ILCS 425/35), the City Attorney is appointed to serve as the Ethics Officer of the City. The Ethics Officer's duties shall be as provided in Section 35 of the Act (5 ILCS 425/35).

##### **3-18-3 LOCAL ETHICS COMMISSION; COMPLAINTS**

- A. To the extent authorized by law and to the extent required by the Act, the Mayor and the Chairpersons of each of the Standing Committees of the City Council shall constitute the Local Ethics Commission.
- B. The Local Ethics Commission shall have the power and duties set forth in Section 55 of the Act (5 ILCS 425/55).

- C. To the extent that any of its provisions may be applicable, Section 45 of the Act (5 ILCS 425/45) shall be applicable to the Local Ethics Commission.
- D. The complaint procedure and the enforcement and penalty provisions of the Act and this Chapter shall be as are provided in Sections 60, 65, and 70 of the Act (5 ILCS 425/60, /65, /70).

Supp 19 (December, 1999)